

REMARKS

Claims 1-17 are pending in this application. By this Amendment, claims 1, 4, and 8 are amended. Support for the amendments may be found, for example, in the specification (see page 9, lines 12-18). No new matter is added.

In view of the foregoing amendments and the following remarks, reconsideration and allowance of the claims are respectfully requested.

I. Rejections Under 35 U.S.C. §112

The Patent Office: (1) rejects claims 1-17 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement; and (2) rejects claims 1-17 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Claim 17 is canceled, thus rendering the rejections moot as to that claim. As to the remaining claims, these rejections are respectfully traversed.

Claims 1, 4 and 8 are amended, as shown above, to obviate the rejections, as discussed and agreed upon during the February 23 interview (see Interview Summary, Continuation Sheet). Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

II. Allowable Subject Matter

The Patent Office indicates that claim 17 contains allowable subject matter (Office Action, page 6). Applicants appreciate this indication of allowability. More specifically, the Patent Office states that:

"[t]he prior art of record fails to disclose or suggest, in combination with the claimed elements, wherein the thickness of ferrite spinel thermistor is one the order of only 10-500 nm thick. Furthermore, it would not have been an obvious step to one of ordinary skill in the art at the time of the invention to reduce the thickness of the thermistor of Johnson by 2-3 orders of magnitude since it would significantly affect the performance (e.g. resistivity) of the device."

(Office Action, page 6).

By this Amendment, claims 1, 4 and 8 are amended to recite, *inter alia*, wherein the thickness of the thin layer is in the range of 5 nm to 500 nm. Accordingly, it is respectfully submitted that the rejections over the applied references are moot, and allowance of independent claims 1, 4 and 8 and dependent claims 2, 3, 5-7 and 9-16 are respectfully requested.

III. Rejection Under 35 U.S.C. §103

The Patent Office: (1) rejects claims 1-5, 8, 9 and 12 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,962,853 ("Endo") in view of U.S. Patent No. 4,531,110 ("Johnson"); and (2) rejects claims 6, 7, 10, 11 and 13-16 under 35 U.S.C. §103(a) as allegedly being unpatentable over Endo in view of Johnson and further in view of U.S. Patent No. 5,821,598 ("Tu"). These rejections are respectfully traversed.

Claims 1, 4 and 8 are amended to incorporate features corresponding to the allowable subject matter of claim 17, thus rendering the above rejections moot.

Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments(2):

Petition for Extension of Time
Request for Continued Examination

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